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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/329,182	06/10/1999	GREGORY A. LECLAIR	07426.0001-0	7787

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EXAMINER	
NGUYEN, THU HA T	
ART UNIT	**PAPER NUMBER**
2155	13

DATE MAILED: 05/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/329,182	Applicant(s) LECLAIR ET AL.	
	Examiner Thu Ha T. Nguyen	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 March 2002* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-118* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *2* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. Claims **1- 18** are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 37 1(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-18 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Sugiyama et al.,** (hereinafter Sugiyama) U.S. Patent No. **5,996,029**.

4. As to claim 1, **Sugiyama** teaches the invention as claimed, including a method for remote execution of an application over a network comprising a destination device and an input device, the method comprising the operations, performed by the input device (abstract), of:

receiving input data (col. 1 lines 63-col. 2 lines 10, col. 2 lines 44-55, col. 16 lines 48-52),

receiving information identifying a destination address (col. 10 lines 33-53, col. 18 lines 5-25),

initiating transmission of the input data by notifying the destination device that data is ready for transmission (figures 23, 26, col. 31 lines 25-32, col. 31 lines 1-29),

receiving a request from the destination device (col. 10 lines 33-53, col. 12 lines 21-31, col. 12 lines 57-62, col. 37 lines 28-60, col. 55 lines 16-43),

transmitting the input data to a location based on the request from the destination device (col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48, col. 56 lines 19-38).

5. As to claim 2, **Sugiyama** teaches the invention as claimed, wherein transmitting the input data includes: transmitting the input data to a network location remote from the destination device based on the request (col. 1 lines 22-29, col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48).

6. As to claim 3, **Sugiyama** teaches the invention as claimed, further comprising converting the input data to a format based on the request (col.1 lines 49-52, col. 10 lines 5-13).

7. As to claim 4, **Sugiyama** teaches the invention as claimed, further comprising transmitting status information in response to a status request (figures 43, 54-57, col. 16 lines 55-60, col. 25 lines 56-col. 26 lines 10, col. 32 lines 14-22, col. col. 80 lines 20-30).

8. As to claim 5, **Sugiyama** teaches the invention as claimed, including: computer-readable medium containing instructions for remote execution of an application in a network comprising an input device and a destination device remote from the input device, the instructions corresponding to tasks executable by a computer and performed by the input device (abstract, col. 3 lines 61-col. 4 lines 19), for:

receiving input data (col. 1 lines 63-col. 2 lines 10, col. 2 lines 44-55, col. 16 lines 48-52),

receiving information identifying a destination address (col. 10 lines 33-53, col. 18 lines 5-25),

initiating transmission of the input data by notifying the destination device that data is ready for transmission (figures 23, 26, col. 31 lines 25-32, col. 31 lines 1-29),

receiving a request from the destination device (col. 10 lines 33-53, col. 12 lines 21-31, col. 12 lines 57-62, col. 37 lines 28-60, col. 55 lines 16-43),

transmitting the input data to a location based on the request from the destination device (col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48, col. 56 lines 19-38).

9. As to claim 6, **Sugiyama** teaches the invention as claimed, wherein transmitting the input data includes: transmitting the input data to a network location remote from the destination device based on the request (col. 1 lines 22-29, col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48).

10. As to claim 7, **Sugiyama** teaches the invention as claimed, further comprising: converting the input data to a format based on the request (col.1 lines 49-52, col. 10 lines 5-13).

11. As to claim 8, **Sugiyama** teaches the invention as claimed, including further comprising: transmitting status information in response to a status request (figures 43, 54-57, col. 16 lines 55-60, col. 25 lines 56-col. 26 lines 10, col. 32 lines 14-22, col. col. 80 lines 20-30).

12. As to claim 9, **Sugiyama** teaches the invention as claimed, including an apparatus for controlling data in a network comprising an input device and a destination device remote from the input device (abstract, col. 4 lines 10-19), the apparatus comprising:

a memory having program instructions (figures 1, 2, col. 13 lines 19-col. 14 lines 50),

a processor configured to receive input data (figures 3, 8, col. 9 lines 27-35, col. 13 lines 19-31, col. 14 lines 55-65),

receive information identifying a destination address (col. 10 lines 33-53, col. 18 lines 5-25),

initiate transmission of the input data by notifying the destination device that data is ready for transmission (figures 23, 26, col. 31 lines 25-32, col. 31 lines 1-2),

receive a request from the destination device (col. 10 lines 33-53, col. 12 lines 21-31, col. 12 lines 57-62, col. 37 lines 28-60, col. 55 lines 16-43),

transmit the input data to a location based on the request from the destination device (col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48, col. 56 lines 19-38).

13. As to claim 10, **Sugiyama** teaches the invention as claimed, wherein the processor configured to transmit the input data includes a processor configured to: transmit the input data to a network location remote from the destination device based on the request (col. 1 lines 22-29, col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48).

14. As to claim 11, **Sugiyama** teaches the invention as claimed, wherein the processor is further configured to: convert the input data to a format based on the request (col.1 lines 49-52, col. 10 lines 5-13).

15. As to claim 12, **Sugiyama** teaches the invention as claimed, wherein the processor is further configured to: transmit status information in response to a status request (figures 43, 54-57, col. 16 lines 55-60, col. 25 lines 56-col. 26 lines 10, col. 32 lines 14-22, col. col. 80 lines 20-30).

16. As to claim 13, **Sugiyama** teaches the invention as claimed, including a data control system comprising an input device and a destination device operatively connected via a network (figures 1, 2, 3, abstract), the system comprising:

an input device for receiving input data (figures 3, 8, col. 1 lines 63-col. 2 lines 10, col. 2 lines 44-55, col. 9 lines 27-35, col. 13 lines 19-31, col. 14 lines 55-65, col. 16 lines 48-52),

receiving information identifying a destination address (col. 10 lines 33-53, col. 18 lines 5-25),

initiating transmission of the input data by notifying the destination device that data is ready for transmission (figures 23, 26, col. 31 lines 25-32, col. 31 lines 1-2),

receiving a request from the destination device (col. 10 lines 33-53, col. 12 lines 21-31, col. 12 lines 57-62, col. 37 lines 28-60, col. 55 lines 16-43),

transmitting the input data to a location based on the request from the destination device (col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48, col. 56 lines 19-38),

a destination device for transmitting a request to the input device based on the notification from the input device (col. 10 lines 33-53),

retrieving the input data from the input device based on the request (col. 20 lines 29-50, col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48, col. 52 lines 10-67, col. 56 lines 19-38).

17. As to claim 14, **Sugiyama** teaches the invention as claimed, including a network comprising a network scanner and a destination device (figure 1, abstract), the network scanner comprising:

an input mechanism for receiving input data (figures 3, 8, col. 1 lines 63-col. 2 lines 10, col. 2 lines 44-55, col. 9 lines 27-35, col. 13 lines 19-31, col. 14 lines 55-65, col. 16 lines 48-52),

a controller for receiving information identifying a destination address (figure 1, element 12, col. 10 lines 33-53, col. 18 lines 5-25),

initiating transmission of the input data by notifying the destination device that data is ready for transmission (figures 23, 26, col. 31 lines 25-32, col. 31 lines 1-2),

receiving a request from the destination device (col. 10 lines 33-53, col. 12 lines 21-31, col. 12 lines 57-62, col. 37 lines 28-60, col. 55 lines 16-43),

transmitting the input data to a location based on the request from the destination device (col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48, col. 56 lines 19-38).

18. As to claim 15, **Sugiyama** teaches the invention as claimed, including a system for remote execution of an application over a network comprising a destination device and an input device, the system comprising the operations, performed by the input device, of:

means for receiving input data (col. 1 lines 63-col. 2 lines 10, col. 2 lines 44-55, col. 16 lines 48-52);

means for receiving information identifying a destination address (col. 10 lines 33-53, col. 18 lines 5-25);

means for initiating transmission of the input data by notifying the destination device that data is ready for transmission (figures 23, 26, col. 31 lines 25-32, col. 31 lines 1-29);

means for receiving a request from the destination device (col. 10 lines 33-53, col. 12 lines 21-31, col. 12 lines 57-62, col. 37 lines 28-60, col. 55 lines 16-43); and

means for transmitting the input data to a location based on the request from the destination device (col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48, col. 56 lines 19-38).

19. As to claim 16, **Sugiyama** teaches the invention as claimed, wherein transmitting the input data includes: means for transmitting the input data to a network location remote from the destination device based on the request (col. 1 lines 22-29, col. 35 lines 23-29, col. 37 lines 28-60, col. 38 lines 34-48).

20. As to claim 17, **Sugiyama** teaches the invention as claimed, further comprising: means for converting the input data to a format based on the request (col.1 lines 49-52, col. 10 lines 5-13).

21. As to claim 18, **Sugiyama** teaches the invention as claimed, further comprising: means for transmitting status information in response to a status request

(figures 43, 54-57, col. 16 lines 55-60, col. 25 lines 56-col. 26 lines 10, col. 32 lines 14-22, col. col. 80 lines 20-30).

Response to Arguments

22. Applicant's arguments filed on March 08, 2002 have been fully considered but they are not persuasive because of the following reason:

23. Applicants argue that Sugiyama does not teach or disclose the limitation of "initiating transmission of input data by notifying the destination device that data is ready for transmission." In response to Applicants' argument, Examiner concludes that Sugiyama does teach the limitation of "initiating transmission of input data by notifying the destination device that data is ready for transmission." As shown in figures 23, 26, col. 31 lines 25-32, col. 31 lines 1-29 and more detail in col. 28 lines 30-col. 29 lines 37.

Conclusion

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (703) 305-7447. The examiner can normally be reached Monday through Friday from 7:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SPE Ayaz R. Sheikh, can be reached at (703) 305-9648.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

The fax number for art unit 2155 is (703) 305-7201.

Thu Ha Nguyen

May 29, 2002

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